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Attorney for Plaintiffs.

UNITED STATES DISTRICT COURT FOR THE
 NORTHERN DISTRICT OF CALIFORNIA

ZILA HUMA TAHIRKHELI,
 JAHAN ZEB TAHIRKHELI,

Plaintiffs,

v.

U.S. CITIZENSHIP AND IMMIGRATION
 SERVICES; EDUARDO AGUIRRE,
 DIRECTOR, U.S. CITIZENSHIP AND
 IMMIGRATION SERVICES; DAVID N.
 STILL, DISTRICT DIRECTOR, USCIS
 SAN FRANCISCO DISTRICT OFFICE;
 EVELYN UPCHURCH, ACTING
 DIRECTOR, USCIS NEBRASKA
 SERVICE CENTER,

Defendants.

No. C 06-06041 JSW

MOTION FOR VOLUNTARY DISMISSAL
 AND ~~PROPOSED~~ ORDER

USCIS Alien Numbers:

A 95-397-927
 A 96-150-660

Pursuant to Civil Local Rule 7, Plaintiffs, Zile Huma and Jahan Zeb Tahirkheli, through counsel, request that their mandamus complaint currently pending before the Court be dismissed without prejudice. Subsequent to the filing of this mandamus complaint, the I-730 petition filed by Mrs. Tahirkheli on behalf of her husband was approved by Defendants. *See attachment.* Therefore, Plaintiffs are no longer alleging that the U.S. Citizenship and Immigration Services is delaying in adjudication of the I-730 petition.

WHEREFORE, Plaintiffs pray that this Court allow them to voluntarily dismiss their mandamus complaint, without prejudice.

Motion for Voluntary Dismissal and ~~Proposed~~ Order

1
2 DATED: October 12, 2006

/s/

Robert B. Jobe
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Attorney for Plaintiffs

7 **[PROPOSED] ORDER**

8 IT IS HEREBY ORDERED that Plaintiffs' motion for dismissal of the action without
9 prejudice be granted.

10
11 DATED: October 16, 2006


JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE